

BRACEWELL

October 19, 2020

VIA ECF

Magistrate Judge Judith C. McCarthy
The Hon. Charles L. Brieant Jr.
Federal Building and United States Courthouse
300 Quarropas Street
White Plains, NY 10601-4150

Re: In re Extradition of Hyuk Kee Yoo, No. 20 Mag. 2252

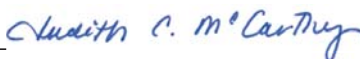
Dear Judge McCarthy:

By letter today, the government has requested a six-week extension of the briefing schedule in this case “to confer with the Korean Government about the issues raised in Mr. Yoo’s brief.” We consented to that request. Although the government does not say so in its request, it seems obvious that the government is troubled by the issues that our brief has raised. Principal among those issues is the candor of Korean authorities in their submissions in support of Mr. Yoo’s extradition. As a reading of our brief demonstrates, there is abundant reason to believe that Korean authorities have misquoted what witnesses said to Korean prosecutors in 2014 to make an application lacking in probable cause appear otherwise.

We appreciate that bail is appropriate in an extradition case only in “special circumstances.” But a request for a six-week adjournment to permit our government to speak to Korean authorities about the accuracy of their submission is extraordinary, and should qualify as a special circumstance. We therefore ask the Court to schedule a bail review -- we will be requesting house arrest with electronic monitoring -- at the Court’s earliest convenience.

SO ORDERED:

Application granted. The Court will hold a remote bail hearing on November 5, 2020 at 1:00 p.m. To access the conference, counsel should call 877-873-8017 and use access code 4264138. Counsel will also be provided with a link to connect to the conference via video. Counsel for Mr. Yoo is directed to submit a letter, not to exceed five pages, setting forth his bail arguments, including but not limited to what "special circumstances" exist, by October 24, 2020. The Government shall file its response, also limited to five pages, by October 28, 2020.

 10-21-2020
JUDITH C. MCCARTHY
United States Magistrate Judge

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